

**UNITED STATES DISTRICT COURT**  
for the  
District of Minnesota

United States of America )  
v. )  
Curtis Lee Davis ) Case No: 03-024 (JRT/FLN)  
Date of Previous Judgment: 11/14/2003 ) USM No: 10817-041  
(Use Date of Last Amended Judgment if Applicable) )  
Defendant's Attorney )

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 121 months months is reduced to 120 months.

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)

Previous Offense Level:	<u>29</u>	Amended Offense Level:	<u>27</u>
Criminal History Category:	<u>7 (IV)</u>	Criminal History Category:	<u>7 (IV)</u>
Previous Guideline Range:	<u>121</u> to <u>151</u> months	Amended Guideline Range:	<u>120</u> to <u>  </u> months

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- Other (explain):

**III. ADDITIONAL COMMENTS**

Except as provided above, all provisions of the judgment dated 11/14/2003 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: 04/27/2009

s/John R. Tunheim

Judge's signature

Effective Date: \_\_\_\_\_  
(if different from order date)

John R. Tunheim, United States District Court Judge  
Printed name and title